



Brownsville Independent School District

Board Of Trustees

Regular Board Meeting

August 19, 2008

5:30 P.M.

Administration Building
1900 Price Road
Brownsville, Texas 78521-2417

A G E N D A

NOTE: The Board of Trustees may go into Closed/Executive Session to deliberate any item on this agenda as authorized by the Texas Open Meetings Act, Texas Government Code Chapter 551.

- I. Meeting Called to Order.
- II. Moment of Silence.
- III. Pledge of Allegiance.
- IV. Roll Call.
- V. Recommend approving the **agenda** of the **Regular Board Meeting of August 19, 2008**, with any corrections/deletions.
- VI. Recommend approving the **minutes** of the **Special Called Board Meeting of July 31, 2008**, with any corrections.
- VII. **Superintendent's Report**
 - A. **Conference Presentations:**
 1. Recognition of BISD Board as a CUBE Award Finalist.
 2. Presentation of the Brownsville Independent School District Quarterly Consultant Report for the Fourth Quarter of Fiscal Year 2007-2008.
 3. Presentation of the Brownsville Independent School District Financial Report for the period ended June 30, 2008.
 4. Presentation of Notification of Contingency Fund Change Orders.
 5. Presentation of Bond Oversight Committee.

B. Standing Board Agenda Items:

6. Board Calendars.

VIII. PUBLIC AUDIENCE:

If you wish to address the Board of Trustees during the Public Audience portion of today's meeting, please print your name on the form provided. According to BISD Policy BED (Local), only those persons (on the list) who request to speak shall be heard. The speaker shall limit remarks to five minutes. The Board shall allot no more than 30 minutes for the Public Audience portion of the meeting. Complaints and concerns for which other resolution channels are provided shall be directed through those channels. These complaints include complaints on the following subjects: employee complaints, termination of employment, student complaints, removal to alternative education program, and expulsion. If the Board President determines that a person has not attempted to resolve a matter administratively, the person shall be directed to the appropriate policy for attempted resolution before bringing the matter to the Board. Complaints against specific employees or officers of BISD shall be heard in Closed Meeting, as authorized by the Texas Government Code Title 5-Section: 551.074 (1) and (2). If our topic concerns complaints against specific employees or officers, please note this on the sign-up sheet. You must make your points on issues in a constructive and courteous fashion pursuant to Robert's Rules of Order.

IX. Open Hearing: Grievance has requested an open hearing pursuant to Board Policy DGBA Local .

NOTE: The Board of Trustees may go into Closed/Executive Session to deliberate any item on this agenda as authorized by the Texas Open Meetings Act, Texas Government Code Chapter 551 and consult with their attorney.

A. Level III Board Review and Grievance:

7. Level III Grievance – Homer Saenz (#002-08/09)
8. Board Action on Level III Grievance – Homer Saenz (#002-08/09)

The Board may deliberate or take action regarding the following agenda items.

**X. Consent Agenda
General Function:**

A. Recommend approval of the following General Function Items:

9. Discussion, consideration and possible action of the naming of New Elementary School #141, including the possible suspension of Policy CW (local).
10. Discussion, consideration and possible action of the naming of New Elementary School #142, including the possible suspension of Policy CW (local).
11. Discussion, consideration and possible action of the naming of New Elementary School #143, including the possible suspension of Policy CW (local).
12. Discussion, consideration and possible action of the naming of New Elementary School #144, including the possible suspension of Policy CW (local).

13. Discussion, consideration and possible action of the naming of New Middle School #12, including the possible suspension of Policy CW (local).
14. Discussion, consideration and possible action of the naming of New High School #6, including the possible suspension of Policy CW (local).
15. Recommend approval of Resolution No. 001/08-09 for the Brownsville Independent School District to participate in described purchasing programs of the Texas Cooperative Purchasing Network (Region IV Education Service Center) for the 2008-2009 school year.
16. Recommend approval of Resolution No. 002/08-09 for the Brownsville Independent school District to participate in described purchasing programs of the TASB for the 2008-2009 school year.
17. Recommend approval of Resolution No. 003/08-09 for the Brownsville Independent School District to participate in described purchasing programs of the Texas Comptroller of Public Accounts for the 2008-2009 school year.
18. Recommend approval of Resolution No. 004/08-09 for the Brownsville Independent School District to participate in described purchasing programs of the Houston-Galveston Area Council Cooperative Purchasing Programs for the 2008-2009 school year.
19. Recommend approval of Resolution No. 005/08-09 for the Brownsville Independent School District to participate in described purchasing programs of the U.S. Communities for the 2008-2009 school year.
20. Recommend approval of Resolution No. 006/08-09 for the Brownsville Independent School District to participate in described purchasing programs of the Region One-Purchasing Co-Op (ROCP) for the 2008-2009 school year.
21. Recommend approval of Resolution No. 007/08-09 for the Brownsville Independent School District to participate in the Region One Education Service Center, Edinburg, Texas, Library Services and Media Cooperative Program for the 2008-2009 school year.
22. Recommend approval of Resolution No. 008/08-09 to enable the Brownsville Independent School District Food and Nutrition Service Department to participate in the purchasing programs through Region I Education Service Center FNS South Texas Cooperative during the 2008/09 school year.
23. Recommend approval of Resolution No. 009/08-09 for the Brownsville Independent School District to participate in described purchasing programs of the Region VIII Education Service Center (ESC8) for the 2008-2009 school year.
24. Recommend approval of Resolution #010/08-09 for the adoption of the 2008-2009 Proposed Tax Rate. Recommend to adopt a tax rate of no more than \$1.0923 per \$100.00 valuation with a Maintenance and Operations rate of \$1.0191 and a Debt Service rate of \$0.0732.
25. Recommend approval for (2) two students and (1) sponsor and (1) chaperon from Hanna High School, (2) students and (1) sponsor from Pace High School, (2) students and (2)

sponsors from Lopez High School, (1) student and (1) sponsor from Rivera High School to participate in an out of state SkillsUSA training at the Washington Leadership Training Institute in Herndon, Virginia on September 18-24, 2008.

26. Discussion, consideration and possible action on compensating all classified employees that were scheduled to work on Wednesday, July 23, 2008 but were not able to work due to Hurricane Dolly. Also, those classified employees that worked on Wednesday, July 23, 2008 are to be compensated at overtime rate for that day.
27. Recommend approval of Student Inter District Transfer (Gideon Sudarshan) from Los Fresnos CISD to Brownsville Independent School District with tuition charge of \$1,797.00.
28. Recommend approval to purchase the New Century Learning system from the New Century Education Corporation in the amount of \$230,000.00 from budgeted categorical funds for the 2008-2009 school year.
29. Recommend approval of the interim principal position with an increase in the professional employee's daily rate to reflect the interim assignment and duties.

B. Recommend approval of the following Payments:

30. Recommend approval to pay PBK Architects, Inc. \$28,470.00; PHI Service Agency, Inc. \$15,632.50; Texas Descon \$78,384.00; W. Murray Thompson \$75,805.91 for a grand total of \$198,292.41 to be paid from Local Maintenance Fund 199.
31. Recommend approval to pay ACR Engineering, Inc. \$4,500.00; Casa Engineering, Inc. \$3,750.00; Gomez Mendez Saenz, Inc. \$56,700.00; Mata Villarreal Garcia Design Group, L.L.P., \$7,597.30; PBK Architects, Inc. \$139,931.25; Raba Kistner Consultants, Inc. \$2,233.83; Stanford Knowles Architect & Planner, Inc. \$3,485.62; Centennial Contractors \$559,836.76; Central Air and Heating Service, Inc. \$1,275,850.00; Metro Electric, Inc. \$111,417.90; D. Wilson Construction Company, Inc. \$3,821,557.20; Texas Descon L.P., \$652,310.00; W. Murray Thompson Construction, Co. \$140,071.80; for a grand total of \$6,779,241.66 to be paid from Capital Project Funds 631,632,633 and 634.

C. Recommend approval of the following Budget Amendments:

32. Recommend approval of Budget Amendment #011 in the amount of \$40,070.00 for Fund 206 – Texas McKinney Vento Border Initiative Grant. (Carryover Budget)
33. Recommend approval of Budget Amendment #012 in the amount of \$356,117.00 for Fund 261 – Texas Reading First. (Carryover Budget)
34. Recommend approval of Budget Amendment #013 in the amount of \$251,153.00 for Fund 289 – Gear Up. (Carryover Budget)
35. Recommend approval of Budget Amendment #014 in the amount of \$13,800.00 for Fund 312 – TANF (FEDERAL). (Carryover Budget)
36. Recommend approval of Budget Amendment #015 in the amount of \$29,135.00 for Fund 315 – IDEA B (Discretionary Deaf). (Carryover Budget)

37. Recommend approval of Budget Amendment #016 in the amount of \$235.00 for Fund 340 – IDEA C – Early Intervention. (Carryover Budget)
38. Recommend approval of Budget Amendment #017 in the amount of \$6,128.00 for Fund 393 – Texas Successful School Award Program. (Carryover Budget)
39. Recommend approval of Budget Amendment #018 in the amount of \$48,729.00 for Fund 394 – Life Skills Grant. (Carryover Budget)
40. Recommend approval of Budget Amendment #019 in the amount of \$80,079.00 for Fund 397 – AP/IB Campus Awards. (Carryover Budget)
41. Recommend approval of Budget Amendment #020 in the amount of \$261,860.00 for Fund 401 – Optional Extended Year Program. (Carryover Budget)
42. Recommend approval of Budget Amendment #021 in the amount of \$541,447.00 for Fund 404 – Accelerated Reading & Math Instruction. (Carryover Budget)
43. Recommend approval of Budget Amendment #022 in the amount of \$3,099.00 for Fund 427 – Security Services Grant. (Carryover Budget)
44. Recommend approval of Budget Amendment #023 in the amount of \$64,313.00 for Fund 429 – Texas Fitness Now Grant. (Carryover Budget)
45. Recommend approval of Budget Amendment #024 in the amount of \$3,796.00 for Fund 431 – State Adult Education. (Carryover Budget)
46. Recommend approval of Budget Amendment #025 in the amount of \$10,854.00 for Fund 498 – Other Local Programs. (Carryover Budget)
47. Recommend approval of Budget Amendment #026 in the amount of \$28,636.00 for Fund 101 – Food Services. (Carryover Purchase Order Budget)
48. Recommend approval of Budget Amendment #027 in the amount of \$93,955.00 for Fund 162 – State Compensatory. (Carryover Purchase Order Budget)
49. Recommend approval of Budget Amendment #028 in the amount of \$7,196.00 for Fund 163 – State Bilingual. (Carryover Purchase Order Budget)
50. Recommend approval of Budget Amendment #029 in the amount of \$22,129.00 for Fund 164 – State Vocational. (Carryover Purchase Order Budget)
51. Recommend approval of Budget Amendment #030 in the amount of \$129,239.00 for Fund 165 – Athletics. (Carryover Purchase Order Budget)
52. Recommend approval of Budget Amendment #031 in the amount of \$4,723.00 for Fund 166 – State Special Education. (Carryover Purchase Order Budget)
53. Recommend approval of Budget Amendment #032 in the amount of \$13,249,579.00 for Fund 199 – Local Maintenance. (Carryover Purchase Order Budget)

54. Recommend approval of Budget Amendment #033 in the amount of \$23,957.00 for Fund 261 – Texas Reading First. (Carryover Purchase Order Budget)
55. Recommend approval of Budget Amendment #034 in the amount of \$5,003.00 for Fund 397 – AP/IB Campus Awards. (Carryover Purchase Order Budget)
56. Recommend approval of Budget Amendment #035 in the amount of \$17,068.00 for Fund 411 – Technology Fund. (Carryover Purchase Order Budget)
57. Recommend approval of Budget Amendment #036 in the amount of \$11,894.00 for Fund 429 – Texas Fitness Now. (Carryover Purchase Order Budget)
58. Recommend approval of Budget Amendment #037 in the amount of \$11,544,775.00 for Fund 631 – Capital Projects. (Carryover Purchase Order Budget)
59. Recommend approval of Budget Amendment #038 in the amount of \$445,903.00 for Fund 632 – Capital Projects. (Carryover Purchase Order Budget)
60. Recommend approval of Budget Amendment #039 in the amount of \$40,926,278.00 for Fund 633 – Capital Projects. (Carryover Purchase Order Budget)
61. Recommend approval of Budget Amendment #040 in the amount of \$12,761,867.00 for Fund 634 – Capital Projects. (Carryover Purchase Order Budget)

D. Recommend approval of the following Contracts/Agreements:

62. Recommend approval to enter into Inter-Local Cooperation Agreement and Memorandum of Understanding between the County Juvenile Board of Cameron County Juvenile Justice Alternative Education Program and the Brownsville Independent School District for the 2008-2009 school year.
63. Recommend approval to enter into a Collaborative Services Agreement with the Neighbors in Need of Services, Inc., Head Start/Early Head Start for the 2008-2009 school year.
64. Recommend approval to enter into agreement with the University of Texas at Brownsville and Texas Southmost College Nursing School to utilize our facilities for clinical experience for the 2008-2009 school year.
65. Recommend approval to enter into an Interlocal Agreement with the University of Texas at Austin, [The K-16 Education Center part of Continuing Education] LUCHA Project for the 2008-2009 school year in the amount of \$75,000.00. Services to be rendered subject to District's needs and funding.
66. Recommend approval to enter into contractual agreement with Communities in Schools, Cameron County, Inc., Brownsville, Texas, for Case Management Services for students at Southmost Elementary, Migrant Students at each of the BISD Middle Schools and for all students at each of the BISD High Schools for the 2008-2009 school year in the amount not to exceed \$236,500.00 from categorical funds. Services to be rendered subject to the District's needs and funding.

67. Recommend approval to enter into a contractual relationship with UTB-TSC for the 2008-2009, 2009-2010, 2010-2011 school years in the amount of \$57,000.00 from budgeted State Special Education fund in order to secure the proposed rental space for the next three (3) years subject to final approval by administration and legal counsel of the lease agreement language.
68. Recommend approval for BISD to add to the contract with Pearson Assessment Management System the TAKS M Modules that customizes benchmark assessments aligned to Brownsville ISD content area scope and sequence for the 2008-2009 school year. Services to be rendered subject to the District's needs and funding.

E. Recommend approval of the following Bids/Proposals/Purchases:

69. Recommend to extend Bid #08-031 Paving Service Work District-wide for three months to expire on November 2008 to several vendors.
70. Recommend awarding Bid #09-001 General Merchandise District-wide to several vendors (Annual Bid)
71. Recommend awarding Bid #09-002 Groceries and Supplies District-wide to several vendors. (Annual Bid)
72. Recommend awarding Bid #09-003 Rental Trucks District-wide to Magic Time, Brownsville, Texas. (Annual Bid)
73. Recommend awarding Bid #09-004 Training Room Supplies and Equipment District-wide to several vendors. (Annual Bid)
74. Recommend awarding Bid #09-005 High School Boys and Girls Track Supplies and Equipment District-wide to several vendors. (Annual Bid)
75. Recommend awarding Bid #09-007 High School Baseball Supplies and Equipment District-wide to several vendors. (Annual Bid)
76. Recommend awarding Bid #09-008 High School Boys and Girls Soccer Supplies and Equipment District-wide to several vendors. (Annual Bid)
77. Recommend awarding Bid #09-009 High School Softball Supplies and Equipment District-wide to several vendors. (Annual Bid)
78. Recommend awarding Bid #09-010 High School Tennis Supplies and Equipment District-wide (Re-Bid) to several vendors. (Annual Bid)
79. Recommend awarding Bid #09-011 High School Swimming Supplies and Equipment District-wide (Re-Bid) to several vendors. (Annual Bid)
80. Recommend awarding Bid #09-012 High School Golf Supplies and Equipment District-wide (Re-Bid) to several vendors. (Annual Bid)
81. Recommend awarding Bid #09-013 Middle School Softball Supplies and Equipment District-wide to several vendors. (Annual Bid)

82. Recommend awarding Bid #09-014 Middle School Boys and Girls Track Supplies and Equipment District-wide to several vendors. (Annual Bid)
83. Recommend awarding Bid #09-015 Middle School Boys and Girls Soccer Supplies and Equipment District-wide to several vendors. (Annual Bid)
84. Recommend awarding Bid #09-016 Contracted Sign Language Interpreters District-wide to several vendors. (Annual Bid)
85. Recommend awarding Bid #09-017 Contract Services for Armored Car District-wide to Rochester Armored Car Co., Omaha, Nebraska. (Annual Bid)
86. Recommend awarding Bid #09-019 Guidance and Counseling Education Program Supplies and Materials District-wide to several vendors. (Annual Bid)
87. Recommend awarding Bid #09-020 Handheld Calculators and Accessories District-wide to several vendors. (Annual Bid)
88. Recommend awarding Bid #09-021 Live Organism for the Elementary Science Full Option Science Systems (FOSS) Program District-wide to several vendors. (Annual Bid)
89. Recommend awarding Bid #09-022 Physical Education and CATCH Supplies and Materials District-wide to several vendors. (Annual Bid)
90. Recommend awarding Bid #09-023 Incentives, Participations, and Achievement Awards for Employees, Parents, and Students District-wide to several vendors. (Annual Bid)
91. Recommend awarding Bid #09-026 Building Supplies and Materials District-wide to several vendors and cast lots for item #1 of said bid. (Annual Bid)
92. Recommend awarding Bid #09-031 Fire Extinguisher Services and Materials District-wide to Puente Fire Extinguisher, Olmito, Texas. (Annual Bid)
93. Recommend awarding Bid #09-032 Fumigation/Extermination Services and Materials District-wide to Big M Pest Control, Ingleside, Texas. (Annual Bid)
94. Recommend awarding Bid #09-033 Oxygen, Acetylene, and Welding Supplies District-wide to several vendors. (Annual Bid)
95. Recommend awarding Bid #09-034 Air Conditioning Filters and Frames District-wide to several vendors and cast lots for item #10 of said bid. (Annual Bid)
96. Recommend awarding Bid #09-035 Parts and Repairs for Energy Management Systems District-wide to A Square Mechanical, Brownsville, Texas. (Annual Bid)
97. Recommend awarding Bid #09-036 Gym Bleacher Repair Services and Materials District-wide to Specialty Supply and Installation LC, Conroe, Texas. (Annual Bid)

98. Recommend awarding Bid #09-038 Roofing Supplies and Materials District-wide to several vendors. (Annual Bid)
99. Recommend awarding Bid #09-039 Electrical Supplies and Materials District-wide to several vendors and cast lots for items #24, #26, #46, and #69 of said bid. (Annual Bid)
100. Recommend awarding Bid #09-040 Paint Supplies District-wide to several vendors and cast lots for items #9 and #42 of said bid. (Annual Bid)
101. Recommend awarding Bid #09-041 Preventive Maintenance and Repairs for Vehicles and Equipment District-wide to several vendors and cast lots for items #1, #36, #50, #54, #55, #56, #57, and #58 of said bid. (Annual Bid)
102. Recommend awarding Bid #09-042 Science Supplies and Materials District-wide to several vendors. (Annual Bid)
103. Recommend awarding Bid #09-044 Electrical Contractor Services District-wide to several vendors. (Annual Bid)
104. Recommend awarding Bid #09-045 Motor Oil and Automotive Fluids District-wide to Oil Patch Fuel and Supply, Inc., Brownsville, Texas. (Annual Bid)
105. Recommend awarding Bid #09-046 Pallet Pick Up Services (Reverse Bid) District-wide to J.L. KA Pallets, Brownsville, Texas. (Annual Bid)
106. Recommend awarding by method of cast lots due to a tie in the ranking of scores, RFQ #09-048 for Architectural Design Services for the new Elementary School #144.
107. Recommend approval to accept the negotiated fee for RFQ #08-034 Consulting Engineering Services for Geotechnical and Construction Materials Testing Services District Wide from Raba-Kistner Consultants, Inc., McAllen, Texas, in the amount not to exceed \$14,559.55 to be paid from Local Maintenance Fund 199.
108. Recommend approval to accept the negotiated fee for RFQ #08-034 Geotechnical Materials Testing Engineering Services District Wide (Annual Contract) from Terracon Consultants, Inc., Pharr, Texas, in the amount not to exceed \$2,118.00 to be paid from Local Maintenance Fund 199.

XI. CLOSED MEETING: as pursuant to the Texas Government Code Section: 551.071, 551.072, 551.074, 551.082, and 551.084.

A. PERSONNEL MATTERS:

109. Presentation of **Retirement/Resignations.**
110. Recommend approval of **Probationary Contractual Personnel** for the 2008-2009 school year – **Teachers.** Subject to receipt of all outstanding documentation.
111. Recommend approval of **Term-Chapter 21 Contractual Personnel** for the 2008-2009 school year – **Teachers.** Subject to receipt of all outstanding documentation.

112. Recommend approval of **Probationary Contractual Personnel** for the 2008-2009 school year – **Counselor**. Subject to receipt of all outstanding documentation.
113. Recommend approval of **Probationary Contractual Personnel** for the 2008-2009 school year – **Specialist in School Psychology - Intern**. Subject to receipt of all outstanding documentation.
114. Recommend approval of **Probationary Contractual Personnel** for the 2008-2009 school year – **Assistant Speech Language Pathologist**. Subject to receipt of all outstanding documentation.
115. Recommend approval of **Probationary Contractual Personnel** for the 2008-2009 school year – **Speech Language Pathologist**. Subject to receipt of all outstanding documentation.
116. Recommend approval of **Probationary Contractual Personnel** for the 2008-2009 school year – **L.U.C.H.A. Resource Teacher**. Subject to receipt of all outstanding documentation.
117. Recommend approval of **Term – Chapter 21 Contractual Personnel** for the 2008-2009 school year – **Counselor**. Subject to receipt of all outstanding documentation.
118. Recommend approval of **Term – Chapter 21 Contractual Personnel** for the 2008-2009 school year – **Assistant Principals**. Subject to receipt of all outstanding documentation.
119. Recommend approval of **Term – Chapter 21 Contractual Personnel** for the 2008-2009 school year – **SAFE Counselors**. Subject to receipt of all outstanding documentation.
120. Recommend approval of **Term-Chapter 21 Contractual Personnel** for the 2008-2009 school year – **Facilitator**. Subject to receipt of all outstanding documentation.
121. Recommend approval of **Term-Chapter 21 Contractual Personnel** for the 2008-2009 school year – **Reading First Coach**. Subject to receipt of all outstanding documentation.
122. Board Self Evaluation.

B. Consultation with ATTORNEY:

123. Consultation with attorney regarding pending or threatened litigation matters.
 - a. Discussion, consideration and possible action – Mediation Agreement – Docket No.: 229-SE-0508; C.T. bnf V.H. vs. BISD.
 - b. Discussion, consideration and possible action – Mediation Agreement – Docket No.: 239-SE-0508; E.L. bnf S.L. vs. BISD.

C. Real PROPERTY:

124. Discussion of possible acquisition or sale of Real Property.

(BOARD RECONVENES AFTER CLOSED MEETING)

A110–121. Recommend approval on personnel matters discussed in Closed Meeting.

B123 a-b. Recommend approval on litigation matters discussed in Closed Meeting.

C124. Recommend approval of acquisition or sale of Real Property discussed in Closed Meeting.

XII. Announcement(s).

125. Next **Regular Board Meeting** of the Board of Trustees is on **Tuesday, September 2, 2008**, at the Administration Building at 5:30 p.m.

XIII. Adjournment.